

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

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KEILEE FANT, et al. )  
Plaintiffs, ) Case No. 4:15-CV-00253-AGF  
v. )  
THE CITY OF FERGUSON, )  
Defendant. )  
\_\_\_\_\_  
)

**PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Keilee Fant, *et al.* (“Plaintiffs”), individually and on behalf of others similarly situated, respectfully move for class certification pursuant to Federal Rule of Civil Procedure 23(c)(1) and state as follows:

1. For the reasons set out in Plaintiffs’ accompanying Memorandum of Law in Support of Class Certification (“Memorandum”), this case satisfies the requirements of Federal Rules of Civil Procedure 23(a), 23(b)(2), and 23(b)(3).
2. Therefore, the Court should (a) appoint Plaintiffs as Class Representatives and the undersigned counsel as Class Counsel; and (b) certify the following five classes pursuing damages and one class seeking prospective relief:
  - a. A *Bearden* Class consisting of all persons who have, at any time since February 8, 2010, been kept in jail by the City of Ferguson for failing to pay a fine, fee, bond, surcharge, or cost, without an inquiry into their ability to pay (Count One).
  - b. A *Gerstein* Class consisting of all persons who have, at any time since February 8, 2010, been held in jail by the City of Ferguson after a warrantless arrest for longer than a reasonable period of time (48 hours at a maximum or such shorter period of time as the Court may determine) prior to a finding of probable cause by a neutral magistrate for their arrest and continued detention (Count Seven).

- c. A Jail-Conditions Class consisting of all persons who, at any time since February 8, 2010, were held in the City of Ferguson jail (Count Four).
- d. A Warrant Class consisting of all persons who have, at any time since February 8, 2010, been held in jail by the City of Ferguson after being arrested on a warrant issued by the City (Count Three).
- e. A Post-Judgment Class consisting of all persons who have, at any time since February 8, 2010, been jailed by the City of Ferguson because of their non-payment in connection with a prior judgment (Counts Two, Five, and Six).
- f. A Declaratory and Injunctive Class consisting of all persons who currently owe or who will incur debts to the City of Ferguson from fines, fees, costs, or surcharges arising from judgments in cases prosecuted by the City (Counts Two, Five, and Six).

3. Pursuant to Local Rule 4.02(A), Plaintiffs hereby request that the Court exercise its discretion and order oral argument, as such argument would be useful to the Court's analysis of the facts and the law in this case.

Dated: November 19, 2021

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